

Exhibit F

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In Re:

Case No. 18-42802-NHL

NORTHFIELD 30 CORP.

Debtor

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May 2, 2022
1:07 p.m.

DEPOSITION of DUSTIN BOWMAN, taken by
the attorneys for Tompkins Avenue Inc., pursuant
to Order, held via web conference on the above
date and time, before Maureen McCormick, a Notary
Public of the State of New York.

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2 A P P E A R A N C E S :

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4 HASBANI & LIGHT, P.C.
Attorneys for Tompkins Avenue Inc.
5 450 Seventh Avenue, Suite 1408
New York, New York 10123

6

BY: DANIELLE LIGHT, ESQ.

7

8 BIOLSI LAW GROUP P.C.
Attorneys for the Witness
9 111 Broadway, Suite 606
New York, New York 10006

10

BY: STEVEN BIOLSI, ESQ.

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12

ALSO PRESENT:

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MARK ANDERSON

14

RICHARD MASIN, Court Reporting Intern

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4 IT IS HEREBY STIPULATED AND AGREED, by and
5 between the attorneys for the respective parties
6 herein, that filing and sealing be and the same
7 are hereby waived.

8

9 IT IS FURTHER STIPULATED AND AGREED
10 that all objections, except as to the form of the
11 question, shall be reserved to the time
12 of the trial.

13 IT IS FURTHER STIPULATED AND AGREED that the
14 within deposition may be signed and sworn to
15 before any officer authorized to administer an
16 oath, with the same force and effect as if signed
17 and sworn to before the officer before whom the
18 within deposition was taken.

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2 THE REPORTER: It is hereby stipulated
3 and agreed by and between counsel for all
4 parties present that pursuant to Federal
5 Rule of Civil Procedure 28 (a)(2), this
6 deposition is being conducted remotely and
7 that the court reporter shall be permitted
8 to administer the oath to the witness via
9 videoconference. The witness and all
10 counsel are in separate remote locations and
11 participating via Zoom, telephone or any Web
12 conference meeting platform under the
13 control of Bee Reporting Agency, Inc.

14 It is further stipulated that this
15 videoconference will not be recorded in any
16 manner and that any recording without the
17 express written consent of all parties shall
18 be considered unauthorized, in violation of
19 law and shall not be used for any purpose in
20 this litigation or otherwise.

21 Before I swear in the witness, I will
22 ask each counsel to stipulate on the record
23 that I, the court reporter, may swear in the
24 witness even though I am not physically in
25 the presence of the witness and that there

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2 is no objection to that at this time, nor
3 will there be an objection at a future date.

4 (Attorneys agree.)

5 THE REPORTER: Mr. Biolsi, can you
6 represent to the best of your knowledge and
7 belief that the witness appearing today via
8 Web conference is, in fact, Dustin Bowman?

9 MR. BIOLSI: The irony of the
10 question. Of course.

11

12 * * * *

13

14 D U S T I N B O W M A N ,

15 called as a witness, having been first duly
16 sworn by the Notary Public, was examined and
17 testified as follows:

18 EXAMINATION BY

19 MS. LIGHT:

20 Q. What is your name?

21 A. Dustin Bowman.

22 Q. Where do you reside?

23 A. My business address is 80-02 Kew
24 Gardens Road, Suite 600, Kew Gardens, New York
25 11405.

1 D. Bowman

2 Q. My name is Danielle Light, and I'm an
3 attorney representing the creditor, Tompkins Avenue
4 Inc. This is a deposition. I'm going to probably
5 skip a few of the rules because I have a feeling
6 you are familiar with them, but this is a
7 deposition in which I will ask you questions, and
8 you must answer them truthfully. If you don't
9 understand my question, please feel free to say
10 so, and I will rephrase it.

11 Before the deposition can be used in
12 court, you will have the opportunity to read over
13 it and correct any mistakes.

14 Do you understand the rules so far?

15 A. Yes.

16 Q. Please answer the questions verbally.
17 If the answer is yes or no, please say yes or no.
18 Please do not answer with non-verbal cues. The
19 court reporter will not be able to record
20 non-verbal cues.

21 If you don't understand a question,
22 again, please just let me know, and I'll rephrase.

23 Please state your name for the record.

24 A. Dustin Bowman, B-O-W-M-A-N.

25 Q. Have you taken any medication, drugs

1 D. Bowman

2 or had any alcohol today that would impair your
3 ability to testify?

4 A. No.

5 Q. Have you ever had your deposition
6 taken before?

7 A. Yes.

8 Q. How many times?

9 A. Twice.

10 Q. And in what kind of cases were you
11 previously deposed?

12 A. In the first one was on or about some
13 year -- a long time ago in result to a collections
14 case of somebody that was not me.

15 (Discussion off the record.)

16 A. The second deposition was related to a
17 specific performance action in which there were
18 two contracts. I wasn't the -- the contract
19 vendee or vendor.

20 Q. Have you ever been arrested before?

21 A. No.

22 Q. Have you ever been convicted of a
23 crime?

24 A. No.

25 Q. So you mentioned those two lawsuits.

1 D. Bowman

2 So have you ever been sued before?

3 A. [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

13 Q. Do you know what case you're here to
14 testify about?

15 A. Yes.

16 Q. And what's the name of that case?

17 A. In Re: Northfield.

18 Q. Do you know why you were subpoenaed to
19 appear and testify in this case?

20 A. I don't.

21 Q. How did you prepare for this
22 deposition?

23 A. I reviewed the exhibits that were sent
24 to me.

25 Q. Have you ever signed any written

1 D. Bowman

2 statements about the events related to this case?

3 MR. BIOLSI: Can you focus on that --

4 objection. Just focus in a little bit.

5 Q. Have you ever -- well, did you
6 previously sign subpoena responses related to this
7 case?

8 A. I believe so. You'd have to throw it
9 in front of me to be sure.

10 Q. Have you ever posted on the Internet
11 or social media about Northfield 30 Corp.?

12 A. Not that I remember.

13 Q. And can we go over -- I'm just giving
14 an introduction. I'd like go over what you did to
15 prepare for this deposition, so you said you
16 reviewed the exhibits.

17 Did you review anything else in
18 preparation for this deposition?

19 A. No.

20 Q. And how did you find your attorney?

21 A. Mr. Biolsi and I have been colleagues
22 for twenty years. I respect him as an attorney.
23 I consider him a friend, as well.

24 Q. And who is paying your attorney to
25 attend the deposition today?

1 D. Bowman

2 MR. BIOLSI: I truly don't know if
3 that's an appropriate question. I wouldn't
4 want to object, but I don't want to be
5 obstructionist.

6 MS. LIGHT: I just want to know if
7 he's paying -- well, if you guys have a
8 friendly relationship, and you're
9 representing him, that's fine, but if he has
10 somebody else paying the bill, I'd like to
11 know who's paying it.

12 A. So thus far, no payment has been
13 rendered. I've offered payment to Mr. Biolsi.
14 It's unclear whether he'll accept. I can either
15 pay him or I'll give him a large gift basket, but
16 it's not clear.

17 Q. I would do the same thing to Mr.
18 Biolsi if he was representing me.

19 And did you meet with Mr. Biolsi
20 before today's deposition to discuss this case?

21 A. No. No, I have spoken with him. I
22 have not met him personally.

23 Q. If you need to take a break at any
24 time, tell me, and we'll take a break, and the
25 only exception is that if we're in the middle of a

1 D. Bowman

2 question, I just ask that we -- we finish the
3 answer, you finish responding, and then we can
4 take that break. Okay? All right.

5 So my next question is: Are you
6 currently employed?

7 A. Yes.

8 Q. And by whom are you employed?

9 A. Employed by Shiryak Bowman -- employed
10 is a tricky question, but I am -- I work for and
11 receive payment from Shiryak Bowman Anderson Gill
12 & Kadochnikov.

13 (Discussion off the record.)

14 Q. And are you a partner at the law firm?

15 A. Yes.

16 Q. How long have you been a partner?

17 A. Since its formation in 2018.

18 Q. Are you affiliated with and Anderson
19 Bowman & Zalewski PLLC?

20 A. I -- could you repeat the question,
21 please, or can I have it read back?

22 Q. Are you affiliated with Anderson
23 Bowman & Zalewski PLLC? I don't know how to
24 pronounce that name?

25 A. I mean, I'm not following my own rules

1 D. Bowman

2 of the deposition, and I'll give you a full
3 answer, which is no, and the reason is because
4 that corporation no longer in existence, but I was
5 affiliated with them until the time it closed.

6 Q. And then are you affiliated with
7 Shiryak Bowman Anderson Gill & Kadochnikov LLP?

8 A. Right. As we discussed, yes.

9 Q. Because the first one you didn't say
10 LLP, so I thought they were separate entities.

11 A. No.

12 Q. So it's one entity, and are you
13 affiliated with Anderson Bowman -- am I saying
14 your name wrong? Is it Bowman or Bowman?

15 A. Either way, but Bowman is how I
16 pronounce it.

17 Q. Bowman. Anderson Bowman PLLC?

18 A. Yes.

19 Q. And what is that law firm or what is
20 that entity?

21 A. It's a law firm.

22 Q. It's still open?

23 A. Yes.

24 Q. Do you do business through that
25 entity?

1 D. Bowman

2 Are you still representing -- I'll
3 rephrase.

4 Are you representing clients through
5 Anderson Bowman PLLC?

6 A. No.

7 Q. What kind of company is Anderson
8 Bowman PLLC?

9 MR. BIOLSI: I believe I just told you
10 it's a law firm.

11 Q. It's a law firm, but it's -- is it --
12 like, are you operating under Anderson Bowman
13 PLLC?

14 A. So am I operating under it? I don't
15 understand the question.

16 Q. I'm not trying to trick you. Let me
17 just get that on the record.

18 I'm just trying to figure out, do you
19 have clients that you are representing them under
20 this Anderson Bowman PLLC?

21 A. No.

22 Q. Is there a reason why you left this
23 entity open?

24 A. Yes. Can we with permission go off
25 the record for a moment?

1 D. Bowman

2 MS. LIGHT: That's fine with me.

3 MR. BIOLSI: I'm good with that.

4 (Discussion off the record.)

5 Q. I'm going to skip my next question.

6 What does your role entail as a

7 partner?

8 MR. BIOLSI: In which place?

9 MS. LIGHT: Shiryak Bowman Anderson

10 Gill & Kadochnikov.

11 A. I would describe myself -- I don't

12 know if everyone would agree -- as the chief

13 litigator in the firm, who does most of the

14 substantive appearances in regards to almost every

15 case.

16 Q. Go ahead. You want to say something

17 else?

18 A. No.

19 Q. Fine.

20 So do you oversee clients in general?

21 A. So I don't understand the question.

22 Q. Do you -- you said you're the chief

23 litigator.

24 So does that mean that you're involved

25 in clients of all of the attorneys in your law

1 D. Bowman

2 firm?

3 A. No.

4 Q. So which cases do you oversee then?

5 A. Anderson is in charge of the quiet
6 title and foreclosure cases.

7 When a foreclosure or quiet title case
8 goes to a trial or hearing, I will typically take
9 over at that point, but that may not be universal.
10 I don't know.

11 And then I would say with all the
12 other cases and I handle from start to finish. Is
13 that the question? I'm sorry, I lost -- I lost
14 the place of the question.

15 Q. We can move on.

16 Do you as part of your role as
17 partner at -- can we call it the law firm? When I
18 say the law firm, I only mean Shiryak Bowman
19 Anderson Gill & Kadochnikov. Is that okay for
20 everybody?

21 A. Yes.

22 Q. So is it part of your role to bring in
23 clients, new clients?

24 A. Yes.

25 Q. And how do you normally find new

1 D. Bowman

2 clients?

3 A. As far as I'm concerned, it's a
4 miracle. Every day my phone rings somehow.

5 Q. What would you say is the primary area
6 of practice for your law firm?

7 A. Real property litigation.

8 Q. And I understand that you are a
9 partner, but do you answer to anybody at your law
10 firm?

11 A. No.

12 Q. And I'd like to go into now your
13 firm's practices and procedures for bringing in
14 new clients.

15 So you said your phone just rings.
16 Does your firm advertise?

17 A. I don't believe so.

18 Q. And then you said your phone rings
19 again. My question was who makes the initial
20 contact.

21 So it sounds like your phone is
22 ringing. Prospective clients contact you; is that
23 correct?

24 A. It is correct that prospective clients
25 contact me, yes.

1 D. Bowman

2 Q. And when you speak with a prospective
3 client, you know, when they call for the first
4 time, what would you say is the sum and substance
5 of a conversation?

6 MR. BIOLSI: Assuming that he's the
7 one that takes the call for the first time?

8 MS. LIGHT: I'm only talking about --
9 yeah, when he takes the call, and then I
10 guess we can go into, you know --

11 A. I don't know.

12 Q. You don't know.

13 And is it like an initial consult, you
14 start talking about facts of your case --

15 A. Yes.

16 Q. -- or would you say it's just a setup
17 of a meeting to meet in person?

18 A. It can go either way.

19 Q. And do you think that -- well, I can't
20 ask that. Take that back.

21 Does the firm have like procedures in
22 place for new prospective client intake?

23 A. I don't know.

24 Q. When you get the initial phone call
25 from a client, do you meet in person?

1 D. Bowman

2 A. Sometimes.

3 Q. How often would you say after the
4 initial consult do you meet in person with a
5 prospective client?

6 A. I don't know.

7 Q. And when you -- let's just say you are
8 meeting with a person. Where do you meet with
9 them?

10 A. My office.

11 Q. Would it be part of your process to
12 ask for identification of a person walking in for
13 the first time?

14 A. No.

15 Q. And then you once you've met with a
16 person or you've held that initial phone -- we'll
17 call it intake -- who prepares the retainer
18 agreement?

19 A. It would typically be a paralegal.

20 Q. And once you've prepared the retainer,
21 who discusses it with the prospective client?

22 Let's say you took the initial phone
23 call. Your paralegal prepared the retainer.

24 Do you then send an email to the
25 prospective clients with the retainer?

1 D. Bowman

2 A. It's so -- sorry. I don't understand
3 the question.

4 Are you asking whether it's me who
5 personally sends out the email or whether it's a
6 paralegal that sends it out or something
7 different?

8 Q. That's exactly what I'm asking.

9 A. Okay. So that would vary on a
10 case-by-case basis. There's rhyme or reason why
11 it would vary, but sometimes I'll handle the
12 retainer to the person in person, sometimes it
13 will be email, sometimes it would be mailed on
14 rare occasions.

15 Q. That's fine.

16 And then after you get a retainer
17 signed, do you ever meet with that client in
18 person?

19 A. Sometimes.

20 Q. Under what circumstances would you
21 meet with a client in person?

22 A. There's no defined circumstances.

23 Q. Are there ever circumstances where you
24 never meet with a client in person?

25 A. Yes.

1 D. Bowman

2 Q. When you retain a client, how do you
3 verify the facts that your client told you about
4 their case?

5 A. It varies. Sorry, Steven.

6 Q. And then how do you verify your
7 complaints to have accurate facts?

8 MR. BIOLSI: I want to object to that.
9 You're assuming something that might not
10 necessarily --

11 MS. LIGHT: So I'll back up.

12 Q. Do you verify the facts that a client
13 presents to you to determine whether they're
14 accurate?

15 MR. BIOLSI: I think that question
16 assumes a responsibility. I don't know.
17 Assumes a responsibility that might not
18 necessarily be his.

19 Q. Okay, but, I mean, let's just say --
20 let's say there is no legal responsibility to
21 verify the facts.

22 Can we do that and just say, like, is
23 there a chance that you verify the facts or do
24 people walk in the door and facts aren't verified?

25 A. So it would depend on the

1 D. Bowman

2 circumstances.

3 Q. Okay, fine.

4 Can you clarify what those set of

5 facts might be?

6 A. So sometimes it's easy to verify a
7 fact. If somebody says if something happened on a
8 certain date, and I might look at the calendar and
9 see that it was a Sunday and say are you sure, and
10 sometimes it's not easy to verify facts, because
11 it's in the sole knowledge of the -- of the
12 client.

13 Q. I understand, okay.

14 And when you're at a point in a case
15 where you need an affidavit signed, does the law
16 firm -- and again the law firm that I'm referring
17 to is Shiryak Bowman Anderson Gill & Kadochnikov,
18 does the firm have a procedure in place to have
19 clients execute affidavits?

20 A. It may.

21 Q. It may, okay.

22 Do you require clients to come in to
23 sign affidavits in person to our office?

24 A. No.

25 Q. Have you ever been -- going back to

1 D. Bowman

2 your -- I guess to you as an attorney personally,
3 have you ever been subject to disciplinary
4 proceedings by the bar association?

5 MR. BIOLSI: Hold on.

6 A. No.

7 MR. BIOLSI: Hold on.

8 THE WITNESS: Sorry, Steven.

9 MR. BIOLSI: That's okay.

10 A. No.

11 Q. I'm going to ask. He's on the line.

12 Do you know Mark Anderson?

13 A. Yes.

14 Q. How did you meet Mark?

15 A. He was employed by a firm of which I
16 was a manager on or about 2010.

17 Q. And what was the name of that firm?

18 A. Steven Zalewski & Associates. And I'm
19 not sure if it's an LLP or LLC.

20 Q. But what is his role at your law firm?

21 A. When you say his, you're referring to
22 Mark Anderson or Steven --

23 Q. Sorry, yes.

24 A. You're asking what Mark Anderson's
25 role is regarding SBAGK?

1 D. Bowman

2 Q. Yes.

3 A. Mark Anderson is in charge of the
4 client title and foreclosure cases, and he also
5 deals with a lot of the law firm management stuff
6 that I don't like to deal with.

7 Q. And is he a partner at your law firm?

8 A. He is.

9 Q. Does he answer to anybody else at the
10 firm?

11 A. No.

12 Q. Does he have face-to-face contact with
13 clients?

14 A. Yes.

15 Q. Does he speak directly with clients?

16 A. Sometimes.

17 Q. And Matthew -- I don't know how to say
18 his last name, R-O-U-T-H.

19 I'm going to ask the same questions.
20 So how did you meet him?

21 A. He was employed by a firm of which I
22 was a partner.

23 Q. What was the name of that firm?

24 A. Likely was Anderson Bowman & Zalewski.

25 Q. How long have you known him?

1 D. Bowman

2 A. I don't know.

3 Q. Does he answer to you?

4 A. Yes.

5 Q. And does he answer to anybody else at
6 the firm?

7 A. Mark Anderson.

8 Q. Does he have face-to-face contact with
9 clients?

10 A. Sometimes.

11 Q. Does he speak directly with clients?

12 A. Sometimes.

13 Q. And would you say that his title is
14 just an associate or something else?

15 A. Associate.

16 Q. How many attorneys do you employ at
17 the law firm?

18 A. Nine or ten.

19 Q. How many years have you been an
20 attorney admitted to practice in New York?

21 A. I believe since 2003.

22 Q. And are you admitted to practice in
23 any other state?

24 A. Minnesota, but I'm suspended as a
25 reason of in activity, not as a reason of any

1 D. Bowman

2 disciplinary action.

3 Q. That's fine.

4 Now we're going to get back to the
5 specifics of this particular case.

6 Do you know the name of the owner of
7 the debtor which is Northfield 30 Corp.?

8 A. I'm sorry. Could you repeat the
9 question, please, or have it read back?

10 Q. I can just say it again.

11 Do you know who owns Northfield 30
12 Corp.?

13 A. No.

14 Q. Do you know somebody named Ilan David
15 Avistedek?

16 So I'll ask the question again. Do
17 you know somebody named Ilan David Avistedek?

18 A. I don't know.

19 Q. Do you know whether Ilan Avistedek
20 owns Northfield 30 Corp.?

21 A. I don't know.

22 Q. I'm just going to refer to him by his
23 last name going forward so we don't have to say
24 the whole thing, so I'm going to refer to him as
25 Avistedek throughout this deposition.

1 D. Bowman

2 Are you -- have you ever -- I'm sorry.

3 Have you ever represented A&Q Estates?

4 A. I don't know.

5 Q. Have you ever heard of the name A&Q
6 Estates?

7 A. I don't know.

8 Q. Have you ever heard of a company
9 called Q&O Estates?

10 A. Yes.

11 Q. Have you represented Q&O Estates?

12 A. I don't know.

13 Q. So I'm going to ask this, but I
14 probably know the answer.

15 Do you know who owns Q&O Estates?

16 A. I don't know.

17 Q. Have you ever represented Q&O
18 Development?

19 A. I don't know.

20 So if you want to throw documents in
21 front of me, that may -- but --

22 Q. I'm going to throw documents down the
23 line. I'm just trying to lay -- like I'm going to
24 go in order what I think makes sense.

25 A. Okay.

1 D. Bowman

2 Q. So then we will just go through this a
3 little bit faster.

4 Are you familiar with a company called
5 M&Q Estates?

6 A. I don't know.

7 Q. Do you know somebody named David
8 Cohen, C-O-H-E-N? Did you hear me, Dustin?

9 A. I'm sorry. I thought you were talking
10 to the reporter.

11 Q. I was asking do you know somebody by
12 the name of David Cohen, C-O-H-E-N?

13 A. I don't know.

14 Q. Can I ask why you don't know?

15 MR. BIOLSI: You can ask, but --

16 A. I just -- I -- first of all, as I'm
17 sure with you, I meet so many people on my
18 day-to-day, right, so my memory for names isn't
19 great anyway, and then you -- the crux of what
20 you're talking about seems to be that there is
21 some ambiguity of identity, which was also
22 throwing an additional ambiguity at me.

23 Q. We'll keep going then. I understand.

24 So I'm going to ask now, do you know
25 somebody named David Cohan, which is spelled

1 D. Bowman

2 C-O-H-A-N?

3 A. I don't know.

4 Q. Do you know somebody that uses the
5 name David Cohan, C-O-H-A-N?

6 A. So I am aware that there are people
7 with names similar to that, who we have
8 represented in certain cases, but I don't know --
9 well, I don't know if I know that particular
10 person, if I met that person.

11 Q. Okay, all right. So I'm going to show
12 you what has been marked Exhibit A, which is --

13 MS. LIGHT: I'd like to have the A
14 marked as Creditor Exhibit A.

15 (Creditor Exhibit A, Retainer
16 Agreement, marked for identification.)

17 MR. BIOLSI: As a reminder, Danielle,
18 he has them.

19 MS. LIGHT: Okay, whatever works for
20 everybody. If he wants to look at it
21 separately, that's fine, but I feel like
22 this way -- I don't know. However you guys
23 want to work it is really fine with me.

24 I will leave it up on the screen, and
25 then he can look at it on his own monitor,

1 D. Bowman

2 if he wants.

3 Q. So can you please tell me what this
4 document is?

5 A. A retainer agreement.

6 Q. And can you tell me what the date of
7 this document is?

8 A. It appears to be May 27, 2017, from
9 the face of the document.

10 Q. I couldn't tell if that was May 1 or
11 May 27, so that's fine.

12 And who is the client that this was --
13 or prospective client that this was given to for
14 execution?

15 A. It was -- I don't know who it was
16 given to, but it was signed purportedly by David
17 Cohan, C-O-H-A-N.

18 Q. Before the date of this retainer,
19 which I think you said was April 27?

20 A. May.

21 Q. Or is that May 27? Sorry.

22 Did you ever represent David Cohan?

23 A. I don't know.

24 Q. Do you know how David Cohan came to
25 know about your firm?

1 D. Bowman

2 A. I don't know.

3 Q. Do you know if somebody referred him
4 to you?

5 A. No, I don't know.

6 Q. Have you ever represented anybody you
7 referred to your firm by David Cohan?

8 MR. BIOLSI: Ask again. What was
9 that?

10 Q. Have you ever represented somebody
11 that was referred to you by David Cohan?

12 A. I don't know.

13 Q. Do you know approximately how many
14 cases you handled or matters -- I'm sorry, matters
15 meaning transaction or litigated matters for David
16 Cohan?

17 A. I don't know.

18 Q. Do you recall meeting David Cohan or
19 somebody you might have believed to be David Cohan
20 in person?

21 A. No.

22 Q. Did you speak with David Cohan on the
23 telephone?

24 A. Not to my recollection.

25 Q. How did you communicate with David

1 D. Bowman

2 Cohan?

3 A. I'm not sure I ever did.

4 Q. Do you know who at your law firm
5 communicated with David Cohan?

6 MR. BIOLSI: I object. That assumes a
7 whole bunch of events.

8 MS. LIGHT: Let me rephrase.

9 Q. Do you know whether anybody in your
10 law firm communicated with David Cohan?

11 A. So I -- I don't know.

12 I mean, communicated -- so
13 communicated with would be like speaking or
14 writing to a person, and so I don't know if anyone
15 ever communicated with David Cohan.

16 My guess is, even though you haven't
17 shown me documents, that we drafted documents for
18 execution by David Cohan, which were in fact
19 executed.

20 Q. So I don't know that to be the case,
21 so I don't want to assume anything, but we're --

22 MR. BIOLSI: Did the court reporter
23 get that? Mr. Bowman said -- I forgot what
24 you said.

25 (Discussion off the record.)

1 D. Bowman

2 Q. Before preparing this retainer
3 agreement, did you communicate with David Cohan?

4 A. Pointing out that this retainer
5 agreement is from seven years ago, I don't
6 remember.

7 MR. BIOLSI: We're not holding him to
8 his math, I don't think.

9 THE WITNESS: Am I wrong? Five years?
10 I apologize.

11 Q. Going back to the setup of your law
12 firm, do you have specific attorneys assigned to
13 specific clients?

14 A. No.

15 Q. When you retain a new client, such as
16 David Cohan, do you gather -- generally speaking,
17 do you gather background information regarding
18 their phone number, address?

19 A. Sometimes.

20 Can we go off the record for a second?
21 I want to take a break.

22 MS. LIGHT: Sure, no problem.

23 (Recess taken.)

24 Q. Is there a reason why your retainer
25 agreement doesn't include an address for Cohan?

1 D. Bowman

2 MR. BIOLSI: Objection. That assumes
3 it's needed.

4 Q. Do your retainer agreements generally
5 include a mailing address for a client?

6 A. Sometimes.

7 Q. Is there a reason why an address would
8 not be included?

9 A. I don't know.

10 MS. LIGHT: Maureen, can we -- I'm
11 sorry. Do you want to maybe give me
12 control, because I do want to scroll down
13 just to show them the two matters that he
14 handled or just --

15 Q. Do you see those two matters on the
16 retainer agreement?

17 A. Yes.

18 Q. After representing Cohan, did -- let
19 me back up.

20 Did you represent -- did your office
21 represent Cohan on the two matters listed on the
22 retainer agreement?

23 A. I don't know.

24 Q. And do you know whether there were any
25 subsequent amendments to this retainer agreement?

1 D. Bowman

2 A. I don't know.

3 Q. Your office didn't include a privilege
4 log. Do you know why there are those big black
5 sections on the retainer agreement?

6 A. It covers up some boilerplate
7 language, which is of no import, but also our fee
8 structure.

9 Q. Do you know how many cases your law
10 firm currently has where you represent David
11 Cohan?

12 A. I really don't.

13 Q. Do you know how many cases your law
14 firm has resolved for David Cohan?

15 A. I don't.

16 Q. Do you know how David Cohan pays your
17 legal bills?

18 MR. BIOLSI: You mean like with a
19 check or money order?

20 MS. LIGHT: Right, or like a wire.

21 A. It's -- it's -- can I have the
22 question read back, please?

23 (Question read.)

24 MR. BIOLSI: I think that assumes that
25 he's paying. Have we gotten there?

1 D. Bowman

2 A. I really don't know.

3 Q. I'd like to show you another exhibit.

4 MS. LIGHT: It is listed as A 1,
5 Exhibit A 1 in the file that I sent over.
6 I'd like to have this marked.

7 (Creditor Exhibit A 1, Check No. 1951
8 marked for identification.)

9 Q. Well, do you recognize this document?
10 Do you know what this is?

11 A. It's a check.

12 Q. Do you know who this is -- what bank
13 account this check was written from?

14 A. It appears to be a bank account for
15 Q&O Estates Corp.

16 Q. Do you know the name? Do you know who
17 signs this check?

18 A. I do not.

19 Q. Do you know what case this was related
20 to?

21 A. I don't.

22 Q. And based on the memo that says Dick
23 Bailey Service Inc., do you know whether this was
24 for an appeal?

25 A. It is likely reimbursement for

1 D. Bowman

2 appellate printing fees related to a certain case,
3 which I don't know.

4 Q. Do you know if your office received
5 any other payments from Q&O Estates?

6 A. I don't know.

7 Q. Does your office use MyCase as its law
8 office management system?

9 A. Yes.

10 Q. Do you use it to track payments
11 usually?

12 A. I don't believe we do.

13 Q. Does your office have any law office
14 management system that it uses to track payments?

15 A. So we use MyCase for keeping track of
16 work done on cases. I believe that we use MyCase
17 for some payment tracking, although it is far from
18 reliable the way that we use it.

19 So does that answer the question? I'm
20 not sure.

21 Q. So yeah, it answers the question.

22 (Discussion off the record.)

23 Q. So I'm sorry. Could we go back? I
24 don't remember your answer.

25 Did you say that your office uses

1 D. Bowman

2 another system to track payments?

3 A. We do not. I'm just pointing out that
4 we're not -- we're working on it. We're getting
5 better at using MyCase for payment tracking, but
6 oftentimes we miss payments, and we have to go
7 back through and test memories and emails, so it's
8 not perfect by far.

9 MS. LIGHT: I just don't remember if
10 we have discussed it already.

11 So I don't know, Steven, if you want
12 to go have her read back or if you remember
13 the question, but I was --

14 Q. I'm going to ask you, are you
15 currently representing David Cohan in any matters?

16 A. I don't know.

17 Q. I'd like to go through several cases
18 at this point that we found that your law firm
19 represents David Cohn, C-O-H-N, David Cohan,
20 C-O-H-A-N, or David Cohen, C-O-H-E-N.

21 MS. LIGHT: I'm going -- if you could
22 open the file that --

23 MR. BIOLSI: I'm not telling you how
24 to do the deposition, but do you want to
25 like maybe even explore Exhibit N first so I

1 D. Bowman

2 can -- I'm having trouble. The luxury that
3 the two of you have that I don't have is
4 that I'm not sure who we're talking about,
5 and I think maybe I'm hoping that Exhibit N
6 might make things move a little bit more
7 efficiently, because we have Mr. Bowman
8 saying that he doesn't remember certain
9 things. Not only will it help me, but it
10 will help him remember.

11 MS. LIGHT: You want me to start with
12 Exhibit M and go through his subpoena
13 responses?

14 MR. BIOLSI: N.

15 MS. LIGHT: N, as in Nancy.

16 MR. BIOLSI: Yeah. See if that helps.
17 I'm not sure who --

18 MS. LIGHT: I don't know if that's
19 going to help, but you want me to go through
20 my questions for Exhibit N at this point?
21 It's just pictures.

22 MR. BIOLSI: Are you mentioning for
23 example, Cohn, Cohan and Cohen? And I don't
24 know if this would help the witness be able
25 to identify who you're talking about.

1 D. Bowman

2 MR. BOWMAN: If anyone is asking my
3 two cents, I think that's the more
4 expeditious way to go, and I think will give
5 you good clarity, as well, Ms. Light.

6 MS. LIGHT: So, fine. I'm going to do
7 what they're saying, and I'm going to --
8 Maureen, Exhibit N -- if we could go through
9 Exhibit N, I'd like to have it marked as
10 Exhibit N, so that it doesn't throw me out
11 of whack should we go back, so on the
12 transcript, it will look out of place, but
13 it will just make my life a lot easier and
14 everyone else when we have to go through, if
15 we have to go through the other exhibits.

16 MR. BIOLSI: I agree. We don't have
17 to redo the letter. I like the way you
18 lettered it. I was just hoping --

19 MS. LIGHT: So then we'll start with
20 Exhibit N, so I'm going -- if we all open
21 Exhibit N, which is labeled DMV records, and
22 I'd like to have it marked as Exhibit N for
23 the record, Creditor Exhibit N.

24 (Creditor Exhibit N, DMV Records,
25 marked for identification.)

1 D. Bowman

2 Q. I'd like you to take a look at these
3 pictures. I redacted the information on it
4 myself, because I wanted you to take a look, and
5 if you could tell me based on these pictures who
6 -- what the name is of the person that you see
7 here.

8 A. I don't know what the name on the
9 document is, because it's been redacted, but that
10 is an individual that I know as Eli Cohen,
11 C-O-H-E-N.

12 MR. BIOLSI: E-L-I?

13 THE WITNESS: That's correct.

14 Q. Eli Cohen?

15 A. Yes.

16 The only picture I am unclear about is
17 the second picture, but all the other pictures are
18 Eli Cohen.

19 Q. All right. Do you happen to know the
20 date of birth for Eli Cohen, by any chance?

21 A. I don't.

22 Q. Do you know his address?

23 A. No.

24 Q. Did you ever represent -- you know
25 what? Sorry. Strike that, please.

1 D. Bowman

2 I'd like to show you what has -- I
3 would like marked, please, as Exhibit I.

4 (Creditor Exhibit I, Retainer
5 Agreement, marked for identification.)

6 Q. I'm just fishing around one second,
7 please.

8 Have you seen this retainer agreement
9 before?

10 A. I saw it in preparation for today's
11 deposition, and although I have no recollection of
12 it, I'm sure I have seen it before that, as well.

13 Q. And did you meet Eli Cohen in person?

14 A. Yes.

15 Q. How many times would you say that
16 you've met him?

17 A. I don't know. More than 50.

18 Q. More than 50?

19 A. I would say so.

20 Q. On what occasions did you meet him?

21 A. Only professionally to discuss certain
22 cases.

23 Q. Did you meet him in places other than
24 your office?

25 A. No.

1 D. Bowman

2 Q. Have you ever met a spouse of Eli
3 Cohen?

4 A. Not to my recollection.

5 Q. Have you met any children of Eli
6 Cohen?

7 A. No.

8 Q. Have you ever met any business partner
9 of Eli Cohen, business partners?

10 (Discussion off the record.)

11 Q. Did you ever meet a business partner
12 of Eli Cohen?

13 A. Not that I recall.

14 Q. And did you ever get a phone number
15 for -- disregard that. Sorry. Don't answer that
16 question, because I have the answer. It was in
17 your subpoena response.

18 Did you ever get an address for Eli
19 Cohen?

20 A. No.

21 Q. Where he lives?

22 A. Not to my recollection.

23 Q. I'm going to show you --

24 MS. LIGHT: If you could open Exhibit
25 J, please.

1 D. Bowman

2 (Creditor Exhibit J, Invoices, marked
3 for identification.)

4 Q. Which are invoices that you submitted
5 to me. These are part of your subpoena responses,
6 so it has the Bates stamps on the bottom right.

7 This is what gives it away that was a
8 MyCase, because I used MyCase as well, so I'm
9 familiar with these invoices.

10 Are these the only invoices generated
11 for Eli Cohen?

12 A. Those are the only invoices generated
13 for Eli Cohen that I could locate in response to
14 your subpoena.

15 Q. And do you know whether these invoices
16 were paid?

17 A. I don't know.

18 Q. Do you know whether somebody else ever
19 made payments on behalf of Eli Cohen?

20 A. I don't recall.

21 Q. If payments were made.

22 MR. BIOLSI: Are you answering his
23 question?

24 MS. LIGHT: No, no. I was completing
25 my question. If payments were made, were

1 D. Bowman

2 they ever made by somebody else other than
3 Eli Cohen, but on his behalf. That makes
4 sense, but he answered the question. That's
5 fine. Okay.

6 Q. So I'd like to go back now to what I
7 have labeled as Exhibit B, as in boy. If you can
8 just open that and let me know when you have it
9 opened.

10 A. It's open.

11 Q. Have you ever seen this affirmation in
12 opposition before?

13 A. Yes.

14 MS. LIGHT: I'd like to have this
15 marked as Creditor's Exhibit B, please.

16 (Creditor Exhibit B, Affirmation in
17 Opposition, marked for identification.)

18 Q. Can you tell me who you represent in
19 this case?

20 A. When you say you --

21 MR. BIOLSI: Referring to --

22 Q. The firm, sorry, the law firm.

23 A. Defendants David Cohan, C-O-H-A-N, and
24 LTE Development Inc.

25 Q. Have you ever met anybody related to

1 D. Bowman

2 LTE Development Inc.?

3 A. I don't know.

4 MS. LIGHT: If you could open the
5 document labeled Exhibit C, and I'd like to
6 have this marked as Creditor Exhibit C,
7 please.

8 (Creditor Exhibit C, Affirmation in
9 Further Support of Defendant's Motion for
10 Summary Judgment and In Opposition to
11 Plaintiff's Motion to Dismiss, marked for
12 identification.)

13 Q. Have you ever seen this document
14 before?

15 A. Yes.

16 Q. Can you tell me what it is?

17 A. It's an Affirmation in Further Support
18 of Defendants' Motion For Summary Judgment and in
19 opposition to Plaintiff's Motion to Dismiss,
20 related to --

21 Q. Go ahead.

22 A. -- related to case Cohan, C-O-H-A-N,
23 versus Federal National Mortgage Association
24 identified under Index No. 505450 of 2018.

25 Q. And can you tell me who the Anderson

1 D. Bowman

2 Bowman & Zalewski represented in this case?

3 A. Plaintiff David Cohan, C-O-H-A-N.

4 Q. Was Anderson Bowman & Zalewski PLLC

5 still operating in 2018?

6 A. There was, yes. SBAGK opened on or

7 about June or August of 2018. Anderson Bowman

8 Zalewski didn't close for a year as we were

9 wrapping up affairs.

10 Q. If you could open what's labeled as

11 Exhibit D, please. Let me know when you have it

12 opened.

13 A. Open.

14 Q. And can you tell me what this document

15 is?

16 A. It's an affirmation in opposition to

17 defendants' order to show cause in the case David

18 Cohn, C-O-H-N, versus various defendants

19 identified under 505470 of 2018.

20 MS. LIGHT: And I'd to have this

21 marked, please, as Exhibit D.

22 (Creditor Exhibit D, Affirmation in

23 Opposition to Defendant's Order to Show

24 Cause, marked for identification.)

25 Q. And can you tell me who Anderson

1 D. Bowman

2 Bowman & Zalewski PLLC represented in this case?

3 A. David Cohn, C-O-H-N.

4 Q. Did you ever meet David Cohn, C-O-H-N?

5 A. Not that I remember.

6 Q. Does your law office keep records of
7 in-person meetings?

8 A. No.

9 Q. So would you know whether Matthew
10 Routh met with David Cohn, C-O-H-N?

11 A. I don't know. Maybe.

12 Q. Can you please open -- I think we just
13 did D; is that correct?

14 MS. LIGHT: So can we please open D 1.

15 (Creditor Exhibit D 1, Affidavit in
16 Support, marked for identification.)

17 Q. And can you tell he what this document
18 is?

19 A. An affidavit in support of something
20 related to a case Cohan, C-O-H-A-N, versus Federal
21 National Mortgage Association 505450/2018.

22 Q. Can you please tell me who is the
23 affiant on this affidavit?

24 A. David Cohan, C-O-H-A-N.

25 Q. Turn to the last page of this

1 D. Bowman

2 affidavit, please.

3 A. Yes.

4 Q. And tell me, do you know what the name
5 of the notary public is that executed this
6 affidavit?

7 MR. BIOLSI: What do you mean, do you
8 know what it is?

9 MS. LIGHT: Sorry, sorry, sorry. Let
10 me rephrase the question.

11 Q. Do you know the name of the notary
12 public that executed this affidavit?

13 MR. BIOLSI: Meaning does he know the
14 person or can he read it?

15 Q. Can you read the name?

16 A. Yes, Jaakov Winkler, J-A-A-K-O-V,
17 Winkler, normal spelling.

18 Q. Have you ever meet Jaakov Winkler?

19 A. No.

20 Q. Have you ever spoken with Jaakov
21 Winkler?

22 A. No.

23 Q. Are you aware that Jaakov Winkler has
24 filed a report with the Kings County sheriff that
25 his notary stamp was stolen?

1 D. Bowman

2 A. No.

3 Q. Do you know whether David Cohan,
4 C-O-H-A-N, met with Jaakov Winkler?

5 A. I don't know.

6 MR. BIOLSI: Do you have a foundation
7 for that question or were you guessing as to
8 the status of --

9 MS. LIGHT: I don't know if Jaakov --
10 if he knows Jaakov Winkler. I don't know.
11 Like, a lot of law firms have people that
12 notarize documents on their office.

13 MR. BIOLSI: I mean, did you have a
14 good faith basis for the question that they
15 went to the sheriff, or were you just asking
16 him to give you that?

17 Do you have independent evidence that
18 that event occurred?

19 MS. LIGHT: Yes.

20 MR. BIOLSI: Okay.

21 MS. LIGHT: I've spoken with the
22 sheriff. I can give you his name, if you
23 want it, but I don't want to put it in the
24 record. I've spoken with Yaakov himself,
25 and the sheriff.

1 D. Bowman

2 Q. I'd like to show you -- if you could
3 please open Exhibit E or what I have labeled as
4 Exhibit E.

5 MS. LIGHT: And if we could please
6 mark this as Exhibit E, Creditor's Exhibit
7 E.

8 (Creditor Exhibit E, Notice of Appeal,
9 marked for identification.)

10 Q. Have you seen this document before?

11 A. Yes.

12 Q. Can you tell me who Anderson Bowman &
13 Zalewski PLLC represented in this case?

14 A. I don't know from my independent
15 recollection, but in reviewing the document, we --
16 Anderson Bowman Zalewski represented Cohan,
17 C-O-H-A-N.

18 Q. Any chance that you know the outcome
19 of this appeal?

20 A. I assume we won. I don't know. I
21 really don't know.

22 Q. So that was Exhibit E.

23 If you could please open what I have
24 labeled as Exhibit F.

25 (Creditor Exhibit F, Notice of Entry,

1 D. Bowman

2 marked for identification.)

3 Q. If you could tell me what that
4 document is, please.

5 A. The notice of entry before a certain
6 case identified as 513279 of 2013.

7 Q. Can you tell me who Anderson Bowman &
8 Zalewski PLLC represented in this case?

9 A. I don't know.

10 Q. I'm just looking at different places,
11 because I have multiple screens, I'm not just
12 looking around.

13 If you could please open exhibit --
14 what I labeled as Exhibit G, please.

15 (Creditor Exhibit G, Judgment, marked
16 for identification.)

17 Q. And can you tell me what this document
18 is, please?

19 A. It is a judgment related to Index No.
20 160840/2017.

21 Q. Are you familiar with this case?

22 A. Yes.

23 Q. Who do you represent in this case?

24 A. C-O-H-N, David.

25 Q. Have you seen this judgment before?

1 D. Bowman

2 A. Yes.

3 Q. Do you know whether -- sorry, let's
4 scroll down to the last page. I think it's in the
5 last page. Yes. And it's Paragraph 6.

6 Can you please read that into the
7 record?

8 MR. BIOLSI: Wait, no. I don't like
9 him to read it into the record. It speaks
10 for itself, though.

11 MS. LIGHT: It speaks for itself.

12 Q. So therefore, can you just confirm
13 that in this case the judge made a determination
14 that plaintiff's name is David Cohan, C-O-H-A-N,
15 rather than C-O-H-N?

16 A. From the face of the document, the
17 judge did amend the caption to reflect that.

18 Q. Do you know whether your office made
19 an application to have the name changed,
20 corrected?

21 A. I don't know.

22 Q. Do you remember attending a hearing in
23 a case called Federal National Mortgage
24 Association versus Alberto Morales on December 1,
25 2017?

1 D. Bowman

2 A. No.

3 Q. I'm going to show you -- if you can
4 please open Exhibit G 1.

5 MS. LIGHT: And I'd like to have this
6 marked as G 1, please.

7 (Creditor Exhibit G 1, Transcript,
8 marked for identification.)

9 Q. If you can scroll to Page 6 of the
10 PDF.

11 A. Yes.

12 Q. I don't know if -- sorry. I don't
13 know if you want to go back to Page 2 just to see
14 that this is a transcript of a hearing that you
15 attended. If you see on the top there, it says
16 like -- it was a caption, and then it says, "60
17 Centre Street, New York, New York, December 1,
18 2017."

19 So that's what I was asking about, if
20 you recalled attending this hearing, and the
21 appearances say that you, Dustin Bowman, were --
22 you attended this hearing on December 1.

23 Do you have any recollection of
24 attending the hearing?

25 A. No.

1 D. Bowman

2 Q. So now if you scroll down to Page 6 of
3 the PDF, which is Page 5 of the -- of the
4 transcript, Line 21.

5 Starting on Line 21, you say that, "I
6 have Mr. Cohan, C-O-H-A-N, in the hallway ready to
7 proceed on that issue, as well, as there is a
8 traverse hearing on both the service of Mr.
9 Morales and Mr. Cohan."

10 Do you recall having Mr. Cohan in the
11 hallway?

12 A. No.

13 I don't recall the hearing at all.
14 I've gone to 50 or more hearings since that time.
15 I don't know.

16 Q. This is kind of like a hard question,
17 but I'm going to ask it.

18 When you -- when you looked at those
19 DMV pictures, do you want to open those back up,
20 Exhibit N?

21 A. Okay.

22 Q. Do you recall whether that person came
23 to attend the hearing with you on December 1,
24 2017?

25 MR. BIOLSI: Look at all six. I don't

1 D. Bowman

2 honestly don't know if all six people are
3 the same or -- I don't know if we
4 established that.

5 MS. LIGHT: I don't know how --

6 A. I previously testified that the only
7 picture that didn't look like Eli Cohen was the
8 second picture.

9 As far as my recollection of the
10 hearing, I have no recollection of the hearing
11 whatsoever.

12 Could we go off the record for just a
13 second?

14 MS. LIGHT: Sure.

15 (Discussion off the record.)

16 Q. I'd like to present or if you could
17 please open -- sorry about that -- Exhibit H, and
18 if we can have it marked as Exhibit H.

19 (Creditor Exhibit H, Affidavit in
20 Support, marked for identification.)

21 Q. And can you tell me what this document
22 is?

23 A. It's an affidavit in support of a -- I
24 don't know what, and in relation to Index No.
25 10528 of 2015.

1 D. Bowman

2 Q. Who is the affiant on this affidavit?

3 A. David Cohan, C-O-H-A-N.

4 Q. Do you have any recollection of your
5 law firm representing M&Q Estates in this matter?

6 A. Do I have a recollection of it. I
7 really don't. I mean, it's clear we did, but I
8 don't have a recollection of it.

9 Q. Do you know if Eli Cohen is related to
10 David Cohan? I'm going to say C-O-H-E-N.

11 Let me clarify. C-O-H-E-N is
12 related -- my question is, is Eli Cohen,
13 C-O-H-E-N, related to David Cohan, C-O-H-A-N?

14 A. I -- I don't know. If you are talking
15 about family relation, I don't know.

16 MR. BIOLSI: What you are looking at,
17 a document?

18 THE WITNESS: I'm just staring off
19 into space, more or less, but back to my
20 answer, I don't know if they're related in a
21 family kind of a sense. Are you asking how
22 they're related?

23 Q. I'll ask you. Do you know if they're
24 related professionally?

25 A. Again, I don't know David C-O-H-E-N

1 D. Bowman

2 or, you know, is related to Eli Cohen, the guy
3 that I know, but in all of these cases that you're
4 referring to, Eli was the point of contact, right?
5 So I would produce or my office would produce
6 documents. We would deliver it to Eli one way or
7 another, and then they could come back executed by
8 the correct party.

9 (Discussion off the record.)

10 Q. Did Eli Cohen ever tell you where
11 David Cohan, C-O-H-A-N, lived?

12 MR. BIOLSI: That would be privileged,
13 I think. The client is Eli. I would like
14 to -- I don't think I want him to answer
15 that question.

16 Q. Did you ever find out where David
17 Cohan lived?

18 A. I don't know. I may -- I don't have
19 any recollection if I ever knew where he lived or
20 the information was ever given to me.

21 Q. Did Eli Cohen, C-O-H-E-N, ever tell
22 you why -- yeah, okay, let me take that back.

23 Did you ever try to meet with David
24 Cohen, C-O-H-A-N?

25 A. I don't remember.

1 D. Bowman

2 Q. Whenever you needed to speak with
3 David --- if you needed to speak to David Cohan,
4 would you have contacted Eli Cohen, C-O-H-E-N?

5 A. I don't know.

6 Q. Did Eli Cohen, C-O-H-E-N, ever ask you
7 -- sorry, let me take that back.

8 Did you come to represent David Cohn
9 through an introduction from Eli?

10 MR. BIOLSI: C-O-H-N?

11 MS. LIGHT: C-O-H-N.

12 A. I don't know.

13 Q. Eli Cohen, C-O-H-E-N?

14 A. I don't know. I don't know.

15 Q. Did Eli Cohen, C-O-H-E-N, introduce
16 you to any other clients?

17 A. I don't know.

18 Q. So you only came to know of David
19 Cohan, C-O-H-A-N through Eli Cohen, C-O-H-E-N?

20 A. Yes.

21 Q. Did you receive payment for your bills
22 from David Cohan, C-O-H-A-N?

23 A. I don't know, but I assume we did, but
24 I don't know.

25 Q. Did you ever receive like an ID, some

1 D. Bowman

2 sort of identification, for David Cohan,
3 C-O-H-A-N?

4 A. I don't know.

5 Q. We are going to switch gears for a
6 minute, and I'm going to ask you, have you ever
7 represented someone by the name of Rami, R-A-M-I,
8 second name L-A-O-R?

9 A. I think so.

10 Q. If you could open exhibit -- what I
11 have labeled as Exhibit K, and if I can have this
12 please marked as Exhibit K.

13 (Creditor Exhibit K, Answer with
14 Counterclaims, marked for identification.)

15 Q. This is an answer filed by the law
16 offices of Abraham Hoschander.

17 Have you ever met Rami Laor in person?

18 A. I really don't know.

19 Q. Do you know if he's professionally
20 related to Eli Cohen, C-O-H-E-N?

21 A. I don't know.

22 Q. I'd like to show you what has been
23 marked as Exhibit L and I'd like to have it marked
24 please as Exhibit L.

25 (Creditor Exhibit L, Affidavit of

1 D. Bowman

2 Service by Mail, marked for identification.)

3 Q. Are you familiar with the address 320
4 Barr Avenue in Woodmere, New York, 11598?

5 A. No.

6 Q. Have you ever see this address for
7 David Cohan, C-O-H-A-N?

8 A. No, I've never seen the address for
9 him or in any other way, to the best of my
10 recollection.

11 Q. Have you ever represented somebody
12 named Eli, E-L-I, Maor, M-A-O-R?

13 A. No.

14 Q. Have you ever represented somebody
15 named Samuel Cohen, S-A-M-U-E-L, C-O-H-E-N?

16 A. No.

17 MR. BIOLSI: For the past twenty
18 years?

19 THE WITNESS: I was about to say, as
20 far as I can remember.

21 Q. Do you know if there is -- if you
22 would have met somebody named Samuel Cohen, either
23 by telephone or in person through Eli Cohen,
24 C-O-H-E-N?

25 A. I don't recall if I ever met him, so I

1 D. Bowman

2 wouldn't recall the specifics how I met someone.

3 Q. Okay, that's fine.

4 Do you know if Eli Cohan has a Social
5 Security number?

6 A. I really don't know.

7 Q. Would you have ever obtained a copy of
8 the Social Security card or a Social Security
9 number?

10 A. I don't know, but I believe that I did
11 a thorough search of the statements in response to
12 your subpoena, which I -- I don't think so.

13 Q. Have you handled any transactional
14 work for Eli Cohen, C-O-H-E-N?

15 A. Not as far as I can remember.

16 Q. Have you handled any transactional
17 work for David Cohan, C-O-H-A-N?

18 MR. BIOLSI: Are you referring to the
19 film or him specifically?

20 MS. LIGHT: Him specifically as a
21 partner of the law firm.

22 A. I don't remember.

23 Q. Do you know if anybody in your law
24 firm has handled transactional work for David
25 Cohen, C-O-H-A-N?

1 D. Bowman

2 A. No, I don't know, but I'm also in
3 charge of that department, so I would have seen
4 it.

5 Q. Have you ever filed for bankruptcy or
6 your office on behalf of Eli Cohen, C-O-H-E-N?

7 A. We -- I don't know, but we don't file
8 bankruptcies.

9 Q. I was just asking about bankruptcy.
10 What about David Cohan, C-O-H-A-N?
11 Did your office file bankruptcy
12 filings for him?

13 A. I don't believe so.

14 Q. And I'm going to go through the other
15 variations. David Cohn, C-O-H-N, has your office
16 filed for bankruptcy on his behalf?

17 A. No, as far as I can remember.

18 Q. Do you know a woman named Sharon,
19 S-H-A-R-O-N, last name A-V-I-T-S-E-D-E-K?

20 A. I don't think so.

21 MR. BIOLSI: You using something to
22 refresh your recollection?

23 THE WITNESS: I was going to, but I
24 think that's the first time I was asked that
25 question that was -- that was kind of to see

1 D. Bowman

2 if I can locate the name.

3 MS. LIGHT: It's fine with me, if it's
4 okay with your attorney.

5 MR. BIOLSI: Are you Googling it?

6 THE WITNESS: No, looking through my G
7 drive. How do you spell the last name?

8 MS. LIGHT: A-V-I-T-S-E-D-E-K.

9 Q. I'm going to ask you the variations of
10 her name as well. Just heads up.

11 A. No.

12 Q. Do you know somebody named Sharon,
13 same spelling, S-H-A-R-O-N, last name, Y-A-N-A-Y?

14 A. No.

15 Q. What about somebody named Y-A-N-A-Y,
16 last name, S-H-A-R-A-N?

17 A. Can I have the question read back,
18 please?

19 Q. Do you know a woman by the name of
20 Yanay, Y-A-N-A-Y, last name, S-H-A-R-A-N?

21 A. Yes.

22 Q. How do you know her?

23 A. I believe we represented her in a
24 landlord tenant proceeding.

25 Q. Do you know how you met her?

1 D. Bowman

2 A. I don't know.

3 Q. Was she brought to you by Eli Cohen,
4 C-O-H-E-N?

5 A. I don't know.

6 Q. Did you ever meet with her in person?

7 A. No, not that I recall.

8 Q. Do you have an address for her?

9 A. No. I mean, I don't know. I mean,
10 I -- I don't have an address offhand.

11 Q. Do you have a phone number for her?

12 A. I don't know.

13 Q. Is your answer --

14 A. I don't know, and then I'm going to
15 explain you can leave a blank in the record. I'm
16 happy to fill in the information if I can locate
17 it.

18 INSERT: _____
19 _____

20 Q. Thank you.

21 Do you know if Yanay Sharon is
22 married?

23 A. I don't know.

24 Q. Do you know if she has children?

25 A. I don't know.

1 D. Bowman

2 Q. Do you know what country she's from?

3 A. I don't know.

4 Q. Do you know a person by the name
5 Yarona, Y-A-R-O-N-A, last name Yanay, Y-A-N-A-Y?

6 A. No.

7 Q. Do you know a person by the name of
8 Yanay, Y-A-N-A-Y, last name Yarona Y-A-R-O-N-A?

9 A. No, not that I recall.

10 Q. Do you keep notes as to how clients
11 come to you?

12 A. Only if --

13 Q. Your law firm, sorry. Let me
14 rephrase.

15 A. Only if it's referred by an attorney.

16 Q. Do you know if your office
17 corresponded with Yanay Sharon via email?

18 A. I don't know.

19 Q. Do you know whether anybody in your
20 office met with her in person?

21 A. I don't know.

22 Q. Did you ever require an affidavit from
23 Yanay Sharon in any case?

24 A. I don't know.

25 Q. Do you know whether she paid any of

1 D. Bowman

2 your invoices?

3 MR. BIOLSI: Do you know if there's
4 been invoices?

5 Q. Do you know if there have been any
6 invoices to Yanay Sharon?

7 A. I don't know.

8 Q. Is there a way you can check?

9 A. Yeah. So looking through, we don't
10 retain -- we don't retain records for more than
11 six years. It's not clear to me when this case
12 concluded, but it looks like 2018 up on the
13 conclusion of the case we scan an entire file into
14 the record which happens more since the
15 transfer -- since the opening of SBAGK, and
16 looking through the file as we speak, even though
17 I probably shouldn't be, I do not see any invoices
18 issued or proofs of payment in the file.

19 Q. So does that mean --

20 A. I'm sure I was paid, absolutely sure.
21 Otherwise, I wouldn't have taken the case.

22 Q. Would you have asked for payment up
23 front in a case like this?

24 A. On a housing case I would typically
25 charge a flat fee up front, which would cover the

1 D. Bowman

2 case from start to finish.

3 MS. LIGHT: I don't know if I asked

4 this, so Steven, maybe you'll remember if I

5 asked. What -- let me ask something else.

6 Q. What property address did you

7 represent her on?

8 A. I don't know.

9 Q. Do you know her to be a woman?

10 A. I don't.

11 Q. I'm just assuming that she's a woman.

12 I mean, you know, I -- you know.

13 And this is what I wasn't sure if I

14 asked before.

15 Did I ask you whether or not you

16 received an affidavit from her? I don't know if I

17 did, so I'm going to ask you again, and if Steven

18 wants to object, we will go back in the record.

19 Did you receive an affidavit from

20 Yanay Sharon?

21 A. Not that I can recall.

22 Q. Do you have a copy of an affidavit in

23 your file from Yanay Sharon?

24 MR. BIOLSI: One he doesn't recall

25 having.

1 D. Bowman

2 MS. LIGHT: Well, I'm just asking if
3 he can check his file basically. Like would
4 it be there? Would that be possible?

5 MR. BIOLSI: Just for the record, it
6 looks likes he's scrolling. One of my
7 concerns is there's so many variations of
8 the name, that who even knows what he's
9 looking at would be proper spelling of
10 whatever.

11 RQ MS. LIGHT: So Steven, even if we can
12 just -- if I could just request that he, you
13 know, take a look at his file and, you know,
14 not now, meaning like after the deposition,
15 if he can find something responsive to this
16 question, whether or not she ever executed
17 an affidavit for them and whether or not
18 like payments were made by her.

19 MR. BIOLSI: She executed an affidavit
20 for Dustin's firm.

21 MS. LIGHT: Yes.

22 THE WITNESS: So Danielle, who was
23 your individual client on this case? Is it
24 Yonel Devico?

25 MS. LIGHT: No, he's the asset

1 D. Bowman

2 manager. He's not the client.

3 THE WITNESS: So it looks like I took
4 over the case we're discussing from Petroff
5 Amshen, P-E-T-R-O-F-F A-M-S-H-E-N, and I
6 never had an affidavit from -- what's her
7 name, Sharon?

8 MS. LIGHT: Sharon.

9 THE WITNESS: Sharon. We just settled
10 the case without an affidavit required.

11 Q. Can I ask you what -- why you
12 mentioned the name Yanel Devico?

13 A. Because ironically his name is on this
14 file.

15 Q. Is it -- is this because the property
16 address -- is the property address St. John's
17 something -- St. John Street?

18 A. 956 St. John's Place.

19 Q. Right, right. That's a case that I'm
20 handling. That is why -- for a different
21 investor. We are just about finished.

22 I would like you to please open up
23 what's labeled as Exhibit M as in Mary, and as we
24 wrap up, just in looking at your subpoena
25 responses, do you know why or do you know whether

1 D. Bowman

2 you have a retainer somewhere with David Cohn,
3 C-O-H-N?

4 A. Whatever as I swore to and affirmation
5 and affidavit, I personally conducted the
6 searches. I searched our D drive as well as
7 physical files at the office personally, and I
8 only located the retainer agreements and checks
9 that I delivered to your office in response to the
10 subpoena.

11 (Creditor Exhibit M, Subpoena
12 Requested Documents, marked for
13 identification.)

14 Q. Do you know whether Eli Cohen has a
15 middle initial?

16 A. I don't know.

17 Q. Are you familiar with aliases of Eli
18 Cohen, C-O-H-E-N?

19 A. I only understand the allegations that
20 you're making. I don't understand him to have any
21 aliases at all.

22 Q. If you look at Request No. 66 on the
23 subpoena, your office listed your response, the
24 response. Lists a phone number of 718-809-5088
25 for Eli Cohan.

1 D. Bowman

2 Have you ever dialed 718-809-5088?

3 A. As I sit here, I don't know.

4 Q. Have you ever made a phone call to Eli
5 Cohen, C-O-H-E-N?

6 A. Yes.

7 Q. Have you ever -- have you ever dialed
8 that 718 number? Do you want me to repeat it
9 every single time?

10 (Discussion off the record.)

11 Q. When I refer to the 718 number, it's
12 the specific number.

13 So have you ever dialed the 718 number
14 and spoken with David Cohen, C-O-H-E-N?

15 A. I've never spoken with David
16 C-O-H-E-N. Is that what you said?

17 Q. Yes.

18 And same question for David Cohan,
19 C-O-H-A-N. Did you ever dial this 718 number to
20 speak with David Cohan, C-O-H-A-N?

21 A. As far as I can remember, I've never
22 spoken to that person.

23 Q. What about dialing that number to
24 speak with Rami Laor, L-A-O-R?

25 A. As far as I can remember, I never

1 D. Bowman

2 called that person.

3 Q. And have you ever dialed that number
4 and spoken with Ilan David Avistedek?

5 A. As far as I can recall, no.

6 Q. Have you ever spoken with anybody that
7 I did not mention that has the phone number
8 718-809-5088?

9 A. Eli Cohen.

10 Q. So whenever you dialed that number,
11 you've spoken with Eli Cohen, C-O-H-E-N.

12 A. When he picks up, yes.

13 Q. Does your office have caller ID? I
14 know these sound ridiculous, but I'm going
15 somewhere so you just got to work with me.

16 A. My -- when someone calls my office and
17 my office line, typically a number will be here
18 from the incoming caller. Is that the question?

19 Q. Is there a name that ever shows up?

20 A. I don't recall.

21 Q. On January 5, 2022, I received a phone
22 call from 718-809-5088. Do you know anything
23 about that phone call?

24 A. I have no idea.

25 Q. Did you ever instruct anybody to call

1 D. Bowman

2 my office from that phone number?

3 MR. BIOLSI: You are asking him did he
4 give somebody advice to do so something?

5 MS. LIGHT: Okay.

6 Q. Are you aware that somebody contacted
7 my office on January 5, 2022, from 718-809-5088?

8 A. I am not aware.

9 Q. Do you know anybody named Ilan Avi,
10 A-V-I?

11 A. No.

12 Q. Do you know an attorney by the name
13 Steven Amshen, A-M-S-H-E-N?

14 A. I know him. I don't consider him a
15 friend, but a colleague.

16 Q. Do you have any joint clients with
17 him?

18 MR. BIOLSI: What is a joint client?

19 Q. Do you represent some of the same
20 people as their attorneys?

21 MR. BIOLSI: I'm not sure what you
22 mean.

23 Q. Do you know whether Steven Amshen
24 represents David Cohen, C-O-H-A-N?

25 A. I don't know.

1 D. Bowman

2 Q. Have you ever spoken with Steven
3 Amshen about David Cohan, C-O-H-A-N?

4 A. Yes.

5 Q. Can you tell me what the sum and
6 substance was of that conversation?

7 A. It was in relation to this litigation.
8 I don't remember exactly what was said, but in
9 sum, that this was torturing me, and that he
10 should do something about it. Whatever it was,
11 give you what you want, or settle the case. I
12 just didn't want to be deposed, and yet here I am.

13 MS. LIGHT: I think that's it for me.
14 I'll end up on that note. I don't know if,
15 Steven, if you have anything you want to
16 add.

17 MR. BIOLSI: No, I'm good.

18 MS. LIGHT: That is it for us.

19 I'd like to just request a copy of the
20 transcript when it can be available. I
21 don't need it as a rush at all.

22 (Time noted: 2:52 p.m.)

23

24

25

1
2 A C K N O W L E D G M E N T
3
4

5 STATE OF NEW YORK)
6 COUNTY OF *Queens*)
7
8
9

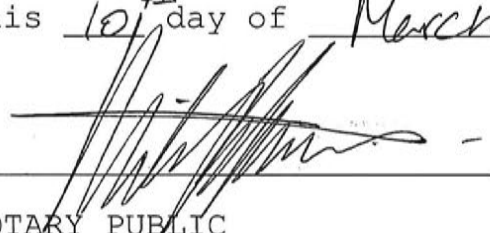
10 I, DUSTIN BOWMAN, hereby certify that

11 I have read the transcript of my testimony taken
12 under oath in my deposition of May 2, 2022, that
13 the transcript is a true, complete and correct
14 record of my testimony, and that the answers on
15 the record as given by me are true and correct.
16
17
18


DUSTIN BOWMAN

19 Signed and subscribed to before me,

20 this *10th* day of *March*, *2023*
2022.

21
22 
23 NOTARY PUBLIC
24
25

Milana Rubinova
Notary Public, State of New York
No. 01RU6189464, Qualified in Queens County
Commission Expires June 23, 20*24*

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I N D E X

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WITNESS

EXAMINATION BY

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Mr. Bowman

Ms. Light

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9

RQ: 68

10

E X H I B I T S

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A 1 Check No. 1951

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14

N DMV Records

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I Retainer Agreement

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B Affirmation in Opposition

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C Affirmation in Further Support of

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Defendant's Motion for Summary

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Judgment and In Opposition to

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Plaintiff's Motion to Dismiss

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D Affirmation in Opposition to

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Defendant's Order to Show Cause

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C E R T I F I C A T I O N

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5

I, MAUREEN McCORMICK, a Notary Public within
and for the State of New York, do hereby certify:

6

7

8

That the testimony in the within proceeding
was held before me at the aforesaid time and
place.

9

10

11

12

13

14

That said witness was duly sworn before the
commencement of the testimony, and that the
testimony was taken stenographically by me, then
transcribed under my supervision, and that the
within transcript is a true record of the
testimony of said witness.

15

16

17

18

19

I further certify that I am not related to
any of the parties to this action by blood or
marriage, that I am not interested directly or
indirectly in the matter in controversy, nor am I
in the employ of any of the counsel.

20

21


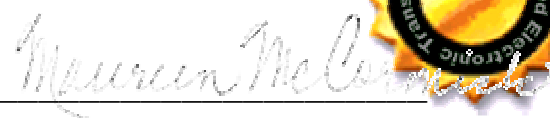
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25

IN WITNESS WHEREOF, I have hereunto set my
hand this 26th day of May, 2022.



MAUREEN McCORMICK

A		
<p>A-M-S-H-E-N 69:5 73:13 A-V-I 73:10 A-V-I-T-S-E-D-E-K 62:19 63:8 A&Q 26:3,5 ability 7:3 able 6:19 38:24 Abraham 59:16 absolutely 66:20 accept 10:14 account 35:13,14 accurate 20:7,14 action 7:17 25:2 78:16 activity 24:25 add 74:16 additional 27:22 address 5:23 32:18,25 33:5,7 40:22 42:18 60:3,6,8 64:8,10 67:6 69:16 69:16 administer 3:14 4:8 admitted 24:20,22 adversary 8:6 advertise 16:16 advice 73:4 affairs 46:9 affiant 47:23 56:2 affidavit 21:15 47:15,19,23 48:2,6 48:12 55:19,23 56:2 59:25 65:22 67:16,19,22 68:17,19 69:6,10 70:5 76:24 77:5,7 affidavits 21:19,23 affiliated 11:18,22 12:5,6,13 affirmation 44:11,16 45:8,17 46:16 46:22 70:4 76:17,18,22 aforesaid 78:7 Agency 4:13 ago 7:13 32:5 agree 5:4 14:12 39:16 agreed 3:4,8,12 4:3 agreement 18:18 28:16 29:5 32:3,5 32:25 33:16,22,25 34:5 41:5,8 76:12,15 agreements 33:4 70:8 ahead 14:16 45:21 Alberto 52:24 alcohol 7:2 aliases 70:17,21 allegations 70:19 ambiguity 27:21,22 amend 52:17 amendments 33:25 Amshen 69:5 73:13,23 74:3 Anderson 2:13 11:11,18,22 12:7,13 12:17 13:5,7,12,20 14:9 15:5,19 21:17 22:12,22 23:3,24 24:7 45:25 46:4,7,25 50:12,16 51:7 Anderson's 22:24 angry 8:5</p>	<p>answer 6:8,16,17,18 11:3 12:3 16:9 23:9 24:3,5 26:14 36:19,24 42:15 42:16 56:20 57:14 59:13,15 64:13 77:6 answered 44:4 answering 43:22 answers 36:21 75:13 anybody 16:9 23:9 24:5 30:6 31:9 44:25 61:23 65:19 72:6,25 73:9 anyway 27:19 apologize 32:10 appeal 35:24 50:8,19 76:25 appear 8:19 appearances 14:14 53:21 appearing 5:7 appears 29:8 35:14 appellate 36:2 application 52:19 appropriate 10:3 approximately 30:13 April 29:19 area 16:5 arrested 7:20 asked 62:24 66:22 67:3,5,14 asking 19:4,8 22:24 27:11 39:2 49:15 53:19 56:21 62:9 68:2 73:3 asset 68:25 assigned 32:12 associate 24:14,15 Associates 22:18 association 22:4 45:23 47:21 52:24 assume 31:21 50:20 58:23 assumes 20:16,17 31:6 33:2 34:24 assuming 17:6 20:9 67:11 attend 9:25 54:23 attended 53:15,22 attending 52:22 53:20,24 attorney 6:3 9:20,22,24 22:2 24:20 63:4 65:15 73:12 attorneys 1:18 2:4,8 3:5 5:4 14:25 24:16 32:12 73:20 August 46:7 authorized 3:14 available 74:20 Avenue 1:18 2:4,5 6:3 60:4 Avi 73:9 Avistedek 25:15,17,19,25 72:4 aware 28:6 48:23 73:6,8</p>	<p>bank 35:12,14 bankruptcies 62:8 bankruptcy 1:2 62:5,9,11,16 bar 22:4 Barr 60:4 based 35:22 40:5 basically 68:3 basis 19:10 49:14 basket 10:15 Bates 43:6 Bee 4:13 behalf 43:19 44:3 62:6,16 belief 5:7 believe 8:6 9:8 13:9 16:17 24:21 36:12,16 61:10 62:13 63:23 believed 30:19 best 5:6 60:9 better 37:5 big 34:4 bill 10:10 bills 34:17 58:21 Biolsi 2:8,10 5:5,9 9:3,21 10:2,13 10:18,19 13:9 14:3,8 17:6 20:8,15 22:5,7,9 27:15 28:17 30:8 31:6,22 32:7 33:2 34:18,24 37:23 38:14 38:16,22 39:16 40:12 43:22 44:21 48:7,13 49:6,13,20 52:8 54:25 56:16 57:12 58:10 60:17 61:18 62:21 63:5 66:3 67:24 68:5,19 73:3,18,21 74:17 birth 40:20 bit 9:4 27:3 38:6 black 34:4 blank 64:15 blood 78:16 boilerplate 34:6 bottom 43:6 Bowman 1:17 5:8,21 6:1,24 7:1 8:1 9:1 10:1 11:1,9,11,19,23 12:1,7 12:13,14,14,15,17,17 13:1,5,8,12 13:20 14:1,9 15:1,18 16:1 17:1 18:1 19:1 20:1 21:1,17 22:1 23:1 23:24 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1,23 32:1 33:1 34:1 35:1 36:1 37:1 38:1,7 39:1,2 40:1 41:1 42:1 43:1 44:1 45:1 46:1,2,4 46:7 47:1,2 48:1 49:1 50:1,12,16 51:1,7 52:1 53:1,21 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:9,18 76:5 boy 44:7 break 10:23,24 11:4 32:21 bring 15:22 bringing 16:13 Broadway 2:9 brought 64:3</p>
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